REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application. Claims 26, 29, 31-33, 43-46 and 48-54 are amended. Claims 26, 28-33 and 43-54 are pending in this application.

35 U.S.C. § 101

Claim 52 - 54 stand rejected under 35 U.S.C. §101 as non-functional data structure. Claim 54 further stands rejected under 35 U.S.C. §101 as non-statutory subject matter due to recitation of limitations of multiple statutory classes. As part of this response claims 52 and 54 have been amended. Applicant respectfully submits that amended claims 52 and 54 comply with 35 U.S.C. §101. Given that claim 53 depends from amended claim 52, Applicant respectfully submits that claim 53 also complies with 35 U.S.C. §101.

Applicant respectfully requests that the §101 rejections be withdrawn.

35 U.S.C. § 112

Claim 54 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention, due to recitation of limitations of multiple statutory classes. As discussed above, claim 54 has been amended as part of this response. Applicant respectfully submits that amended claim 54 complies with 35 U.S.C. §112, second paragraph.

Applicant respectfully requests that the §112 rejection be withdrawn.

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35 U.S.C. § 102

Claims 26 and 28, 30-33, 43-45, and 47-54 stand rejected under 35 U.S.C.

§102(e) as being unpatentable over U.S. Patent No. 6,611,819 to Oneda

(hereinafter "Oneda"). Applicant respectfully submits that Claims 26 and 28, 30-

33, 43-45, and 47-54 are not anticipated by Oneda.

Oneda is directed to an electronic money system in which electronic funds

stored on an IC card are used as settlement means in lieu of bills and coins. A

carriable IC card stores a general and specific electronic money balances. General

balances may be freely spent without use limits. Specific balances have an

associated limited use range. *Oneda col. 1, lines 54-40.* A wallet device receives

a transferor IC card and a transferee IC card to affect actual transfer of funds

(electronic money) from the transferor to the transferee. The transferor may

specify genre use limits for electronic money transferred to the transferee. *Oneda*

Col. 7, line 34-40. The electronic money is maintained on the IC card, and is used

directly to purchase items. When IC card is used to purchase items, a settlement

unit retrieves from a POS server genre information regarding items to be

purchased. A comparison is made between genre information regarding items to

be purchased with genre use limits or available genres maintained on the IC card

with the settlement funds. If the genre of the items to be purchased coincides with

the available genre, payment is allowed and payment is deducted from the

electronic money balance of the card. If the genre is not available, payment is

denied. *Oneda, Col. 8, line 4-21.* Thus, Oneda describes a system in which genre

use limits are specified for on electronic money maintained on an IC card.

Claim 26 has been amended and as amended (amended portion in bold italics) recites a computerized method comprising:

- maintaining *on a server* a payment account in a user-accessible electronic wallet corresponding to a particular user, *wherein the payment account stores information that identifies an external account where funds available to the user are maintained*, and
- restricting where funds in *the external account identified by* the payment account can be spent.

Support for the amendment may be found through out the drawings and specification as filed, examples of which may be found p. 5-6 and p. 22-23 of the subject Application.

Applicant respectfully submits that there is no discussion or mention in Oneda of "maintaining **on a server** a payment account in a user-accessible electronic wallet corresponding to a particular user" as recited in amended claim 26. Oneda merely discloses electronic money balances stored on an IC card. The card is a carriable and self-contained cash replacement. Further, Oneda does not disclose that the user has access on a server to the electronic wallet. Accordingly, storing electronic money balances on an IC card as in Oneda, is not "maintaining on a server a payment account . . . in a user-accessible electronic wallet" as recited in claim 26.

Further, Oneda fails to disclose "wherein the payment account stores **information that identifies an external account** where funds available to the user are maintained" as recited in claim 26. Again, the IC card in Oneda is a cash replacement system in which electronic money is used in lieu of bills and coins. Thus, the IC card in Oneda stores the actual funds (balances) that may be

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transferred between a transferor IC card and a transferee IC card or used in settling a purchase. As such, an external account is not drawn upon when payment is made or funds on the IC card are transferred to another IC card. General and specific electronic money balances are maintained on the IC card. Theses are the actual funds the card holder will use for transfers or payment. A limited use range may be set for a specific balance. The limits are maintained along with the specific balance on the card.

The balances on the IC card in Oneda do not identify external accounts. Oneda does indicate that the card may initially be loaded with funds from a Bank Account and thus the card may hold Bank Account numbers. However, for individual transactions using the card (settlements and transfers) Oneda describes only that the electronic money balances stored on the card are involved. Oneda does not describe that the Bank Account is accessed, identified, or otherwise involved when account balances are transferred among cards or settlements are made. Accordingly, Oneda fails to disclose a payment account identifies an "external account where funds available to the user are maintained" as recited in claim 26.

Oneda also fails to disclose "restricting where funds in the external account identified by the payment account can be spent" as recited in claim 26. Oneda fails to disclose any restrictions upon funds in an external account identified by a payment account. Oneda describes only that when funds are transferred between IC cards using a wallet transfer device, the transferor may place genre based use limits on the transferred funds by specifying available genres. These available genres are then are maintained with the transferred

balances on the IC card of the transferee. Actual electronic money is transferred to the card. Thus, the genre limits on the IC card balance are not restrictions on an external account. Rather the genre limits are upon the electronic money maintained. Although a bank account is mentioned in Oneda, the funds maintained and not the funds maintained in the bank account have associated limits. Accordingly, Applicant respectfully submits that Oneda does not disclose "restricting where funds in the external account identified by the payment account can be spent" as recited in amended claim 26.

For at least these reasons, Applicant respectfully submits that amended claim 26 is allowable over Oneda. Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 28-33 and 43 depend from claim 26 and are allowable over Oneda for at least the reasons discussed above with respect to claim 26. They are also allowable for their own recited features which Oneda does not disclose, teach or suggest. For example:

Claim 31 has been and as amended (amended portion in bold italics) recites a method as recited in claim 26, further comprising
- restricting how the funds in *the external account identified by* the payment account can be combined with funds from *another external account identified by* another payment account prior to being spent.

The Office relies upon Oneda col. 9 line 65–col. 10 line 4 describing electronic money information stored on an IC as a basis for rejecting the recited features of claim 31. *Office Action dated 5/19/2005, p. 5.* Applicant respectfully disagrees. As the following excerpt (including the portion relied upon by the Office) illustrates, the cited portion of Oneda fails to even mention combining accounts, let alone restrictions on how funds in accounts are combined:

FIG. 5 illustrates in an exclusive manner the details of the electronic money related information stored in the transferor IC card 10-1 and the transferee IC card 10-2 of . . . Stored as the use limit information 48 are a use limit flag 56 and a specific genre 60 . . . The specific genre 60 is combined with transferred specific electronic money balance 50 and transferor management information 62. Transferred electronic money information 58-1 is created for each specific electronic money transfer and is made up of the specific genre 60, the specific electronic money balance 50 and the transferor management information 62. This example includes three transferred electronic money information 58-1, 58-2 and 58-3. The specific genre 60 consists, as shown in an excluded manner on the right-hand side, of e.g., an available store code 66, an available counter code 68, an available commodity genre code 70 and an available commodity code 72. A storage is made by specifying at least one code upon a transfer of the specific electronic money. The transferor management information 62 is information indicative of a transferor of the specific electronic money balance 50 and includes, as shown in an excluded manner on the right-hand side of FIG. 5, a transferor IC card number 74 and a code number 76. The transferor IC card number 74 and the code number 76 are used in the return processing for inter-card or intra-card of electronic money from the specific electronic money balance 50 to the general electronic money balance 46. *Oneda, col. 9 line 45 –col. 10 line 19.*

Thus, Oneda is describing the electronic money information stored on the IC cards, and not the combining of accounts. Accordingly, the cited portion fails to describe a combination of accounts, or restrictions upon such a combination.

Further nowhere in Oneda is there a discussion of limits upon the combination of external accounts. Limits in Oneda are upon the electronic money balances maintained on the card. Further, the use limits described are genre based limits for the purchasing of items such as available commodity genre (Books) or

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available commodity (Novels). *Oneda, Fig. 6.* Oneda fails to describe restrictions that are placed upon the combination of an external account with another external account. Accordingly, Oneda fails to disclose "restricting how the funds in the external account identified by the payment account can be combined with funds from another external account identified by another payment account prior to being spent" as recited in claim 31.

For at least these reasons, Applicant respectfully submits that amended claim 31 is allowable over Oneda. Applicant respectfully requests that the §102 rejection be withdrawn.

Claim 44 has been amended and as amended (amended portion in bold italics) recites one or more computer readable media having stored thereon instructions that, when executed by one or more processors, causes the one or more processors to:

- maintain *on a server* a payment account in a user-accessible electronic wallet corresponding to a particular user, *wherein the payment account stores information that identifies an external account where funds available to the user are maintained*; and
- restrict where funds in *the external account identified by* the payment account can be spent.

Applicant respectfully submits that, similar to the discussion above regarding claim 26, Oneda fails to disclose the recited features of claim 44. In particular for reasons similar to those articulated regarding claim 26, Oneda fails to disclose "maintain on a server a payment account in a user-accessible electronic wallet", "wherein the payment account stores information that identifies an external account where funds available to the user are maintained" or "restrict where funds

in the external account identified by the payment account can be spent" as recited in claim 44.

For at least these reasons, Applicant respectfully submits that amended claim 44 is allowable over Oneda. Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 45-51 depend from claim 44 and are allowable over Oneda for at least the reasons discussed above with respect to claims 26 and 44. They are also allowable for their own recited features which Oneda does not disclose, teach or suggest. For at least these reasons, Applicant respectfully submits that claims 45-51 are allowable over Oneda. Applicant respectfully requests that the §102 rejections be withdrawn.

Claim 52 has been amended and as amended (amended portion in bold italics) recites a system comprising

- *a server having:*
- *a processor; and*
- *a memory configured to maintain instructions executable on the processor to provide:*
- means for maintaining *on the server* a payment account in a user-accessible electronic wallet corresponding to a particular user, *wherein the payment account stores information that identifies an external account where funds available to the user are maintained*; and
- means for restricting where funds in *the external account identified by* the payment account can be spent.

Applicant respectfully submits that, similar to the discussion above regarding claim 26, Oneda fails to disclose the recited features of claim 52. In particular for reasons similar to those articulated regarding claim 26, Oneda fails to disclose "means for maintaining on the server a payment account in a user-accessible

electronic wallet", "wherein the payment account stores information that identifies an external account where funds available to the user are maintained" or "means for restricting where funds in the external account identified by the payment account can be spent" as recited in claim 52.

For at least these reasons, Applicant respectfully submits that amended claim 52 is allowable over Oneda. Applicant respectfully requests that the §102 rejection be withdrawn.

Claims 53-54 depend from claim 52 and are allowable over Oneda for at least the reasons discussed above with respect to claims 26 and 44, 52. They are also allowable for their own recited features which Oneda does not disclose, teach or suggest. For at least these reasons, Applicant respectfully submits that claims 53-54 are allowable over Oneda. Applicant respectfully requests that the §102 rejections be withdrawn.

35 U.S.C. § 103

Claims 32 and 46 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Oneda in further view of examiner's Official Notice.

Claims 32 and 46 depend respectively from claims 26 and 44 and as previously noted are allowable based at least upon these respective dependencies. Accordingly, Applicant request that the § 103 rejections of claims 32 and 46 be withdrawn.

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Conclusion

Claims 26, 28-33 and 43-54 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned agent respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

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